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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,135	01/23/2002	Glenn F. Evans	MS1-1022US	9146
22801	7590	07/26/2005	EXAMINER	
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			TRUONG, LECHI	
			ART UNIT	PAPER NUMBER
			2194	

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/055,135

Applicant(s)

EVANS, GLENN F.

Examiner

LeChi Truong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 25 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 17-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 17-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-5, 17-24 are presented for the examination. Claims 6-16 and 25-42 are cancelled.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 17-20, 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmidt et al (US. Patent 5,768,523) in view of DeLeeuw et al (US. Patent 6,088,018).
3. As to claim 1, Schmidt teaches the invention substantially as claimed including: an event prediction module (the event management daemon 30, col 4, ln 64-67/ the event generation module 58 of the event management daemon, col 6, ln 65-67 to col 7, ln 5-10), receiving event notification requests from an application pertaining to the event (col 6, ln 65-67 to col 7, ln 5-10), times (a resource which may be expressed as a quantity representing the amount of time, col 4, ln 19-25/ network resources may be understood to be aspects of the network which are prespecified and which can be represented, for example, by a quantity, a percentage, a count, or binary state, col 4, ln 12-17/ state which characterizes ... as an absolute value, or a threshold value, col 6, ln 30-35), and rendition times associated with the individual events (a resource type

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and a state with characterize and event, col 6, ln 29-33/ the state which characterizes an event may also be referred to as a predicate, and may be stated as an absolute value, or as a threshold value, or as the occurrence of a specified change in state, col 6, ln 34-36), predict rendition times associated with the individual events(informed the occurrence of an event in a network, where the event is defined as the occurrence of a particular state of the resource, col 1, ln 63-66/ an identifier of the resource in which the event will occur, col 7, ln 55-60/ a monitor associated with the resource state indicator which provides state data for the resource in which the event will occur, col 8, ln 35-39/ obtaining the indication of occurrence of the event, col 9, ln 11-15/ the predicate database may con col 7, ln 3-11/ receiving data from said indicator and determining whether said data indicates occurrence of said event, col 11, ln 36-39).

4. Schmidt does not explicit teach media content samples that are to be rendered for a user, and events associated with the media content samples. However, DeLeeuw teaches media content samples that are to be rendered for a user (media content samples that are to be rendered for a user, and render filter render the data signals, col 12, ln 55-60), and events associated with the media content sample (col 13, ln 26-30).

5. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Schmidt and DeLeeuw because DeLeeuw's media content samples that are to be rendered for a user, and events associated with the media content samples would improve the flexibility of Schmidt's system by controlling the multimedia data stream and playing the data stream for a particular duration or seeking a particular point in the data stream.

6. **As to claim 2**, Schmidt teaches an event list that stores information associated with events and associated rendition times (col 6, ln 28-35).

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7. **As to claim 3**, Schmidt teaches generate event notifications in accordance with their predicted rendition times (col 7, ln 3-10); send the notifications to an application (col 5, ln 43-46).
8. **As to claim 4**, Schmidt teaches the event prediction module predicts the rendition times by taking into account one or more presentation rates that define a rate at which individual media content samples (col 7, ln 3-11), multiple filters of the filter graph (col 14, ln 65-67 to col 15, ln 1-3).
9. **As to claims 17-20**, they are apparatus claims of claims 1, 2-4; therefore, they are rejected for the same reasons as claims 1, 2-4 above.
10. **As to claim 22**, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above. In additional, Schmidt teaches send at least one event notification to the application (col 5, ln 42-46), responsive to an associated event having been predicted to occur at a particular rendition time (col 7, ln 1-7 and col 4, ln 16-22).
11. **As to claim 23**, it is apparatus claim of claim 4; therefore, it is rejected for the same reasons as claim 4 above.
12. **Claims 5, 21, 24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmidt et al (US. Patent 5,768,523) in view of DeLeeuw et al (US. Patent 6,088,018), as apply to claim 1, and further in view of CG (computer Graphics workshop' 97 Lecture Notes).

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13. As to claim 5, Schmidt and DeLeeuw do not teach performing linear interpolation.

However, CG teaches performing linear interpolation (a liner interpolation, page 4 of 10, ln 20-22).

14. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Schmidt, DeLeeuw and CG because CG's linear interpolation would improve the use of Schmidt and Deleeuw's systems by performing calculation animation of the camera over a specifiable period of time whenever the mouse is clicked.

14. As to claims 21, 24, they are apparatus claims of claim 5; therefore, they are rejected for the same reason as claim 5 above.

Response to the argument:

15. Applicant amendment filed on 9/03/04 has been considered but they are not persuasive:

Applicant argued in substance that :

(1) “ Applicant find no disclosure , hint or suggestion in the exerpts cited by office that event alludes to an event prediction module that is configured to predict rendition times associated with individual events”.

16. Examiner respectfully disagreed with Applicant's remarks:

As to the point (1), Schmidt teaches a resource type and a state with characterize and event (col 6, ln 29-33)/ the state which characterizes an event may also be referred to as a predicate, and may be stated as an absolute value, or as a threshold value, or as the occurrence of a specified change in state (col 6, ln 34-36)/ predict rendition times associated with the individual

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events (informed the occurrence of an event in a network, where the event is defined as the occurrence of a particular state of the resource(col 1, ln 63-66)/ an identifier of the resource in which the event will occur(col 7, ln 55-60)/ a monitor associated with the resource state indicator which provides state data for the resource in which the event will occur(col 8, ln 35-39)/ obtaining the indication of occurrence of the event(col 9, ln 11-15)/ receiving data from said indicator and determining whether said data indicates occurrence of said event(col 11, ln 36-39). A resource or state is the time associated with the event (col 4, ln 19-25 and ln 12-17/ col 6, ln 29-33).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (571) 272 3767. The examiner can normally be reached on 8 - 5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

LeChi Truong

July 21, 2005



SUE LAO
PRIMARY EXAMINER